

CITY OF SAN DIEGO COUNCIL DOCKET



COUNCIL PRESIDENT

Todd Gloria • Third District

COUNCIL PRESIDENT PRO TEM

Sherri Lightner • First District

COUNCILMEMBERS

Edward Harris • Second District

Myrtle Cole • Fourth District

Mark Kersey • Fifth District

Lorie Zapf • Sixth District

Scott Sherman • Seventh District

David Alvarez • Eighth District

Marti Emerald • Ninth District

**Andrea Tevlin
Independent
Budget Analyst**

**Jan Goldsmith
City Attorney**

**Liz Maland
City Clerk**

Council Chambers, 12th Floor, City Administration Building

Tuesday, June 17, 2014

**AGENDA FOR THE
REGULAR COUNCIL MEETING OF
TUESDAY, JUNE 17, 2014, AT 10:00 AM
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

This information will be made available in alternative formats upon request, as required by the Americans with Disabilities Act (ADA), by contacting the City Clerk at (619) 533-4000 or <mailto:cityclerk@sandiego.gov>. Requests for disability-related modifications or accommodations required to facilitate meeting participation, including requests for auxiliary aids, services or interpreters, require different lead times, ranging from five business days to two weeks. Please keep this in mind and provide as much advance notice as possible in order to ensure availability. Assistive Listening Devices (ALDs) are available in Council Chambers upon request.

Pursuant to California Senate Bill 343 (Section 54957.5(b) of the Brown Act), late-arriving documents related to City Council meeting agenda items which are distributed to the legislative body prior to and during the Council meeting are available for public review in the Office of the City Clerk on the second floor of the City Administration Building, 202 C Street, San Diego, CA 92101. This relates to those documents received after the agenda is publicly noticed and during the 72 hours prior to the start of the meeting. Please note: Approximately one hour prior to the start of the Council Meeting, the documents will be available just outside Council Chambers in the lobby of the 12th floor of the City Administration Building in a binder labeled “SB 343.” Late-arriving materials received during the City Council meeting are available for review by making a verbal request of City Clerk staff located in Council Chambers.

NOTE: The public portion of the meeting will begin at 10:00 a.m. The City Council will meet in Closed Session this morning from 9:00 a.m. – 10:00 a.m. Copies of the Closed Session agenda are available in the Office of the City Clerk.

OTHER LEGISLATIVE MEETINGS

The **SAN DIEGO HOUSING AUTHORITY** is scheduled to meet today in the Council Chambers. A separate agenda is published for it, and is available in the Office of the City Clerk. For more information, please contact the Housing Authority Secretary at (619) 578-7564. Internet access to the agenda is available at:
<http://www.sdhc.org/Media-Center/SDHC-Meetings/Housing-Authority-Meetings/>

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF COUNCIL MINUTES

The Council Minutes of the following meetings will be approved by Unanimous Consent unless pulled for discussion:

04/28/2014
04/29/2014

PROCLAMATIONS/CEREMONIAL ITEMS

NOTE: The following Proclamations will be presented in Council Chambers and approved by Unanimous Consent unless pulled for discussion.

ITEM-30: Walls of Excellence Day.

PRESENTED BY COUNCILMEMBER COLE:

Proclaiming June 17, 2014, to be "Walls of Excellence Day" in the City of San Diego.

ITEM-31: Marshall Middle School Chamber Choir Day.

PRESENTED BY COUNCILMEMBER KERSEY:

Proclaiming June 17, 2014, to be "Marshall Middle School Chamber Choir Day" in the City of San Diego.

NOTE: The following Proclamation will NOT be presented in Council Chambers. It will be approved by Unanimous Consent unless pulled for discussion.

ITEM-32: Gary Saks Day.

COUNCILMEMBER KERSEY'S RECOMMENDATION:

Proclaiming June 19, 2014, to be "Gary Saks Day" in the City of San Diego.

SPECIAL ORDERS OF BUSINESS

None.

ADOPTION AGENDA, CONSENT ITEMS

The Consent items listed beginning on the next page are considered to be routine, and the appropriate Environmental Impact Reports have been considered. These items are indicated on the docket by a preceding asterisk (*). Because these items may be handled quickly, if you wish to be heard submit your Request to Speak form prior to the start of the meeting.

NON-AGENDA PUBLIC COMMENT

This portion of the agenda provides an opportunity for members of the public to address the Council on items of interest within the jurisdiction of the Council. (Comments relating to items on today's docket are to be taken at the time the item is heard.)

Per Section 22.0101, Rule 2.6, of the San Diego Municipal Code, comments are limited to three minutes per speaker, and three minutes per subject regardless of the number of people requesting to speak on that subject

MAYOR, COUNCIL, INDEPENDENT BUDGET ANALYST, CITY ATTORNEY, CITY CLERK COMMENT

UPDATES ON PENDING LEGISLATION (MAYOR'S OFFICE)

REQUESTS FOR CONTINUANCE

The Council will consider requests for continuance in the morning or afternoon, based on when the item was noticed to be heard.

**ADOPTION AGENDA, CONSENT ITEMS
ORDINANCES TO BE INTRODUCED:**

- * ITEM-50: Canyon View Upland Mitigation Project: Habitat West, Inc. – Change Order No. 2 No Cost Time Extension. (Rancho Peñasquitos Community Planning Area. District 6.) (Rev. 6/12/14)

ITEM DESCRIPTION:

Approval of Change Order No. 2 to the Agreement with Habitat West, Inc., providing for a no cost time extension of 1,195 calendar days from the expiration date of the existing contract. The extension will provide for the completion of all five (5) years of maintenance associated with the Canyon View Upland Mitigation Project. Ordinance is needed to authorize the extension as it exceeds five years.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2014-112)

Introduction of an Ordinance authorizing the Mayor, or his designee, to execute, for and on behalf of the City, Contract Change Order No. 2 to the aforementioned Agreement with Habitat West, providing for a no cost time extension of 1,195 calendar days from the expiration date of the existing contract.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

STAFF SUPPORTING INFORMATION

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The Canyon View Upland Mitigation Project was approved by City Council for advertisement on November 16, 2010 (R-306279). The award of the contract to Habitat West Inc., was authorized through a Mayoral Action in August 2011.

- This item was heard at the Environment Committee meeting on May 21, 2014.

ACTION: Motion by Councilmember Emerald, second by Councilmember Harris, to approve staff's recommendation.

VOTE: 3-0; Alvarez-yea, Emerald-yea, Harris-yea, Zapf-not present.

Sasaki

Primary Contact\Phone: Keli Balo\858-292-6423, MS 901A

Secondary Contact\Phone: Guann Hwang\858-292-6476, MS 901A

City Attorney Contact: Jung, Jeremy A.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-100: Execution of an Amendment to the existing Agreement with United States Geological Survey (USGS) for Water Resource Investigations (Citywide.)

ITEM DESCRIPTION:

First Amendment to United States Geological Survey (USGS) to add two additional sites to the City's ongoing Groundwater Testing Program. The two groundwater sites are: Cloverdale (cluster of three wells) USGS No. 330555117010101-3 and Lake Hodges (cluster of three wells) USGS No. 330320117024701-3.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-704)

Authorizing the Mayor, or his designee, to execute the Joint Funding Agreement for water resources investigations (USGS Agreement No. 14WSCA03200), which amends the existing Agreement No. 13WSCA03200 by adding two groundwater investigation sites for the period of November 1, 2013 to October 31, 2016, at an amount not to exceed \$67,200, contingent upon the Chief Financial Officer demonstrating that the funds are, or will be, on deposit with the City Treasurer;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$67,200 from Water Fund No. 700011, for the purpose of the above referenced Amendment.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Groundwater management-related activities will be funded from the Water Fund through the Long Range Water Resources program which consists of funding from San Diego, state or federal grant programs, and local, state, and federal partnerships. The total cost for this Amendment is \$67,200.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

This item was heard at the Environment Committee meeting on May 21, 2014.

ACTION: Motion by Councilmember Emerald, second by Councilmember Harris, to approve staff's recommendation and direction for staff to report to the Committee on results of the testing conducted through this Agreement over the last decade and recommend what steps may need to be taken if the City chose to utilize these sources for potable water purposes.

VOTE: 3-0; Alvarez-yea, Emerald-yea, Harris-yea, Zapf-not present.

This direction is addressed in the memo and the accompanying USGS journal articles.

Sasaki/Heinrichs

Primary Contact\Phone: Jeanne Cole\858-292-6313, MS 901A

Secondary Contact\Phone: Edgar Patino \858-292-6321, MS 901

City Attorney Contact: Jung, Jeremy A.

- * ITEM-101: Collaborative Services (Bid No. 10006788-10-V, Contract No. 4600000395) Amendment No. 1 for enhanced water conservation outreach and drought response. (Citywide.)

ITEM DESCRIPTION:

Amending an Agreement with Collaborative Services, Inc., to add \$100,000 for professional services in water conservation outreach, San Diegans Waste No Water public information and education campaign, and drought response.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-681)

Authorizing the Mayor, or his designee, to execute, for and on behalf of the City, the First Amendment with Collaborative Services Inc., Contract No. 4600000395, increasing the amount of expenditure in the First Option Year (Fiscal Year 2014-2015) by \$100,000, for a First Option Year (Fiscal Year 2014-2015) contract total not to exceed \$300,000, from Water Utility Operating Fund 700011, for professional services for water conservation public information, education, outreach, and drought response, under the terms and conditions set forth in the First Amendment;

Authorizing the Chief Financial Officer to expend an additional amount not to exceed \$100,000, for a First Option Year (Fiscal Year 2014-2015) contract total not to exceed \$300,000, from Water Utility Operating Fund 700011, solely and exclusively to provide funds for the above First Amendment, provided that the City Comptroller first furnishes one or more certificates demonstrating that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The total not to exceed amount of the First Option Year (Fiscal Year 2014/2015) is \$300,000, of which \$200,000 is already encumbered in a Fiscal Year 2014 Purchase Order (previously authorized by R-306250), leaving a balance of \$100,000 which is available in Water Utility Operating Fund 700011.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- City Council passed Resolution R-306250 on October 19, 2010, authorizing execution of an Agreement with Collaborative Services, Inc., for public outreach consulting services for the Water Conservation Program.
- This item was heard at the Environment Committee meeting on May 21, 2014, and forwarded to the full Council.

ACTION: Motion by Councilmember Emerald, second by Councilmember Harris, to approve staff's recommendation.

VOTE: 3-0; Alvarez-yea, Harris-yea, Emerald-yea, Zapf-not present.

Sasaki/Heinrichs

Primary Contact\Phone: Chris Robbins \619-533-4203, MS 906
Secondary Contact\Phone: Luis Generoso \619-533-5258, MS 906
City Attorney Contact: Palmucci, Raymond C.

* ITEM-102: Amendments to Council Policy 100-02 (Donation Acceptance.)

ITEM DESCRIPTION:

This action is to approve the revisions to the Donations Acceptance Policy, Council Policy No. 100-02.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-805)

Revising Council Policy No. 100-02, now titled "Donation Acceptance," by the City Council of the City of San Diego, as set forth in the Council Policy;

Directing the City Clerk to add the amended Council Policy 100-02 to the Council Policy Manual.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The proposed amendments will lead to improved fiscal accountability and resource conservation. Many proposed donations will include stipulations that require evaluation whether a donation obligates the City to make an immediate or initial City expenditure which has not been included in the approved City Budget or if the donation creates a new, one-time or an on-going general maintenance obligation for the City.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

On July 27, 2011, a revised policy was presented to the Committee on Rules, Open Government and Intergovernmental Relations by Mary Lewis (CFO), Stephen Lew (Director of Community Outreach & Business Relations), and Mara Elliott (Deputy City Attorney). Council Committee approved the revised policy with language modifications 4-0. All requests in the motion were made with the exception of notification to Council of donations valued at \$5,000 and above either accepted or denied, and the reason for the denial. After a discussion, the Committee determined that only notification of denied donations valued at \$5,000 and above was necessary; however, the motion was not amended. Due to an administration change, the policy was not docketed for final approval at City Council.

Collura/LoMedico

Primary Contact\Phone: Katherine Crow\619-533-3837, MS 610

Secondary Contact\Phone: Natasha Collura\619-533-3822, MS 610

City Attorney Contact: Dugard, Prescilla

- * ITEM-103: Authorizing and Establishing the University Heights Banner District. (University Heights Community Area. District 3.)

ITEM DESCRIPTION:

Authorize and Establish the University Heights Banner District and allow the University Heights Community Association to install street banners in the public right-of-way promoting cultural and civic events, and community activities of general public interest.

COUNCIL PRESIDENT GLORIA'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-772)

Authorizing and establishing the University Heights Banner District as follows:

1. In accordance with San Diego Municipal Code Section 142.1210(b)(5)(C), the University Heights Community Association may install banners in the following locations: (a) along the east and west sides of Park Boulevard from Meade Avenue to El Cajon Boulevard, 4398-4353 Park Boulevard to 4300-4319 Park Boulevard; (b) center median poles on Park Boulevard from El Cajon Boulevard to Lincoln Avenue, 4298-4299 Park Boulevard to 4002-4009 Park Boulevard; (c) east and west sides of Normal Street from El Cajon Boulevard to Polk Street, 4198-4199 Normal Street to 4100-4127 Normal Street; (d) north and south sides of Washington Street from Polk Street and past the Vermont Street bridge, 1550-1599 Washington Street to 1081-1070 Washington Street.

2. The banners shall be installed in accordance with the following:

- a. The banners shall not be used for commercial or political advertising, except that logos and trademarks of sponsoring organizations shall be permitted.
- b. The total area of logos and trademarks shall be limited to five percent of the banner area.
- c. The banners shall be displayed for no more than thirty calendar days, with one thirty-calendar-day extension.
- d. The banners shall be installed only on light standards that have been equipped by the City with mounting hardware.
- e. The banners have received all necessary permits to locate in the public right-of-way.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: N/A

Fox

Primary Contact\Phone: Molly Chase\619-236-7758

City Attorney Contact: Lintvedt, Inga B.

* ITEM-104: Payment for Settlement of Attorney's Fees and Costs in Lawsuits Filed by Coastal Environmental Rights Foundation, Inc., Superior Court Case Nos. 37-2010-00095062, 37-2010-00102574, 37-2011-00092008, and 37-2011-00102639.

ITEM DESCRIPTION:

Coastal Environmental Rights Foundation filed lawsuits alleging that the City has not complied with the California Environmental Quality Act with regard to park use and special event permitting. The plaintiff's basic claim is that environmental review has never been completed for the July 4th La Jolla Cove Fireworks Show. The plaintiff prevailed in three lawsuits, which are on appeal. This item authorizes payment to the plaintiff for settlement of attorney's fees and costs in the amount of \$250,000. Payment of this amount and compliance with the terms of the Settlement Agreement would resolve all four lawsuits, and verify that the City's park use and special event permitting are valid and remain in effect.

CITY ATTORNEY'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-763)

Authorizing the Mayor, or his designee, to pay the sum of \$250,000 from the Public Liability Fund 720045, in settlement of each and every claim for attorney fees and costs against the City of San Diego, its agents and employees, resulting from the following cases: *Coastal Environmental Rights Foundation, Inc., v. City of San Diego*, Superior Court Case No. 37-2010-00095062-CU-TT-CTL (CERF I); *Coastal Environmental Rights Foundation, Inc., v. City of San Diego*, Superior Court Case No. 37-2010-00102574-CU-TT-CTL (CERF II); *Coastal Environmental Rights Foundation, Inc. v. City of San Diego*, Superior Court Case No. 37-2011-00092008-CU-TT-CTL (CERF III); and *Coastal Environmental Rights Foundation, Inc. v. City of San Diego*, Superior Court Case No. 37-2011-00102639-CU-TT-CTL (CERF IV).

Authorizing the Chief Financial Officer to appropriate and expend \$250,000 from the Public Liability Fund 720045, contingent upon the City Comptroller first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

Authorizing the City Comptroller to issue a check in the amount of \$250,000, made payable to Coastal Environmental Rights Foundation, Inc.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Settlement amount of \$250,000 will be paid from the Public Liability Fund No. 720045.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The item was approved in Closed Session on April 29, 2014.

Nuesca

Primary Contact\City Attorney\Phone: Leslie FitzGerald\619-533-5800, MS 59

Secondary Contact\Phone: Glenn Spitzer\619-533-5800, MS 59

* ITEM-105: Appointment and Reappointments to the Balboa Park Committee.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-733 Cor. Copy) (Rev. 6/13/14)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the Balboa Park Committee, for terms expiring as indicated.

<u>NAME</u>	<u>CATEGORY</u>	<u>TERM ENDING</u>
David Strickland (Golden Hill, District 8) (Reappointment)	Golden Hill Neighborhood Representative	March 1, 2016
Dr. Andrew Kahng (Del Mar Heights, District 1) (Reappointment)	Balboa Park / Morley Field Recreation Council Representative	March 1, 2016
Don Liddell (Mission Hills, District 3) (Reappointment)	Uptown Neighborhood Representative	March 1, 2016
Robert Steppke (North Park, District 3) (Reappointment)	North Park Neighborhood Representative	March 1, 2016
Kenneth Davenport (Mission Hills, District 3) (Filling the seat previously held by Mike McDowell, who is termed out)	Vice Chair	March 1, 2016

* ITEM-106: Appointment and Reappointments to the Board of Library Commissioners.

MAYOR FAULCONER'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-740)

Council confirmation of the following appointment and reappointments by the Mayor of the City of San Diego, to serve as members of the Board of Library Commissioners, for terms expiring as indicated:

<u>NAME</u>	<u>TERM ENDING</u>
Abby Silverman Weiss (La Jolla, District 1) (Reappointment)	March 1, 2016
Alan Ziehaus (Downtown, District 3) (Reappointment)	March 1, 2016
Ann Haddad (Point Loma, District 2) (Reappointment)	March 1, 2016
Illeana Ovalle Engel (University Heights, District 3) (Filling the vacancy in the seat previously held by Susan Atkins)	March 1, 2016

- * ITEM-107: Declaring a Continued State of Emergency Due to Severe Shortage of Affordable Housing in the City.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-530)

Declaring a continued state of emergency due to severe shortage of affordable housing in the City of San Diego, pursuant to California Government Code Section 8630;

Declaring that the measures previously taken by the City Council in Resolution Number R-296982 shall continue to have full force and effect.

- * ITEM-108: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2014-478)

Declaring a continued state of emergency to persist relative to the escalated discharge of raw sewage from Tijuana, Mexico, pursuant to California Government Code Section 8630;

Authorizing the Mayor, or his designee, to execute all necessary contracts for the diversion, treatment, and disposal of international raw sewage;

Declaring that the measures previously taken in accordance with Resolution Number R-282544 shall continue to have full force and effect.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

NOTE: This item may be taken in the morning session if time permits.

ITEM-330: Balboa Park "Light the Park" Project Actions. (Balboa Park Community Area. District 3.)

ITEM DESCRIPTION:

This action will authorize the acceptance of \$170,000 contribution from SDG&E for Balboa Park lighting improvements. Additionally, this action authorizes the Chief Financial Officer to appropriate and expend \$574,000 for Fiscal Year 2015 provided by SDG&E, Balboa Park Celebration Incorporated (BPCI) returned funds in the Major Events Revolving Fund and the City Energy Conservation Program Fund. The project will install energy efficient LED exterior lighting in core Balboa Park areas to enhance the nighttime experience for visitors during the Balboa Park Centennial.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-788)

Authorizing the Mayor, or his designee, to accept a donation from San Diego Gas & Electric (SDG&E) in the amount of \$170,000 for Balboa Park lighting improvements and deposit into (200376) Private/Public Partnership Fund;

Authorizing the Chief Financial Officer to appropriate and expend an amount not to exceed \$574,000 for the Fiscal Year 2015 budget from the following sources: \$170,000 from Private/Public Partnership Fund (200376), \$200,000 from Energy Conservation Program Fund (200224), \$204,000 from Major Events Revolving Fund (200214) for the Balboa Park "Light the Park" project, contingent upon the City's receipt of SDG&E's donated funds, contingent upon approval of the Fiscal Year 2015 Appropriation Ordinance and the Chief Financial Officer furnishing a certificate certifying that funds necessary for the expenditures are, or will be, on deposit with the City Treasurer.

Subitem-B: (R-2014-789)

Declaring that the creation of the Balboa Park "Light the Park" project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301, 15303, and 15331;

Determining that an exception to the exemption as set forth in CEQA Guidelines Section 15300.2 does not apply.

STAFF'S SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

This action will authorize the acceptance of \$170,000 provided from SDG&E and deposited to Private/Public Partnership Fund (200376). Total funding of \$574,000 is from the following sources: \$170,000 from Private/Public Partnership Fund (200376), \$200,000 from Energy Conservation Program Fund (200224), \$204,000 from Major Events Revolving Fund (200214) for the Balboa Park "Light the Park" Project.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- An information item providing an update on the 2015 Balboa Park Centennial celebration, which included a description of the "Light the Park" project was presented to the Committee on the Environment on May 21, 2014.

- On May 13, 2014, by Resolution R-308946, the City Council authorized the Termination Agreement for the Balboa Park Celebration Incorporated (BPCI).

Gonaver\Heinrichs

Primary Contact\Phone: Lorie Cosio-Azar\858-627-3352, MS 1101B

Secondary Contact\Phone: Dave Weil\858-492-6001, MS 1103A

City Attorney: Ortlieb, Frederick M.

NOTE: This item may be taken in the morning session if time permits.

ITEM-331: Amendment No. 3 to the Contract with GE Energy Management Services, Inc., for Consulting Services to Support SPLASH (Public Utilities GIS Software). (Citywide.)

ITEM DESCRIPTION:

Amend the contract between the City and GE Energy Management Services, Inc. (GE Energy) for extending the period of consulting services related to the SPLASH application (Public Utilities Geographic Information System). SPLASH is an essential program used to map/track the City's water/sewer infrastructure. The program and customizations are the intellectual property of GE Energy so their onsite support is essential to maintain, troubleshoot and run the program. Since the current contract with GE Energy is set to expire on June 30, 2014, the purpose of the amendment is to extend the contract from July, 1, 2014 - June 30, 2017, and increase the total not to exceed amount by \$1,680,019, total contract value of \$5,259,819.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-801)

Authorizing the Mayor, or his designee, to execute Amendment No. 3 to the Agreement with GE Energy Management Services, Inc., for consulting services to support GE Smallworld GIS functionality within the SPLASH software application, to extend the term of the Agreement through June 30, 2017, and to increase the total not to exceed amount for the Agreement to \$5,259,819 (an increase of \$1,680,019) under the terms and conditions set forth in Amendment No. 3;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$1,680,019 for the remaining three-year term of the Agreement running from July 1, 2014, through June 30, 2017, to be funded in total from the following three funds, with the allocations described herein: Municipal Sewer Revenue Fund 700000 (18%), Metropolitan Sewer Utility Fund 700001 (33%), and Water Utility Operating Fund 700011 (49%), contingent on adoption of the Annual Appropriation Ordinance for the applicable fiscal year and Council's approval of funding for this expenditure in the applicable fiscal year, and provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

STAFF'S SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The current contract set to expire on June 30, 2014, has a current dollar value of \$3,579,800. The proposed contract amendment three will extend the contract to June 30, 2017 and increase the dollar value by \$1,680,019 to a total of \$5,259,819.

This expenditure is budgeted in FY15 as an IT O&M expense, and will be funded in total from the Municipal Sewer Revenue Fund 700000 (18%), Metropolitan Sewer Utility Fund 700001 (33%) and Water Utility Operating Fund 700011 (49%) contingent upon the adoption of the Appropriation Ordinance for Fiscal Years 2015 - 2017, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are or will be on deposit with the City Treasurer.

The consulting services will cost \$523,400 per year and are subject to an escalation of up to 5% per year after the first year. A maximum travel cost of \$10,000 per year is also included in the contract value.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The current contract (No. 4500044485) has an effective date of July 1, 2009. This replaced and superseded the prior contract (No. 4500026439) signed on June 26, 2002. Both of these contracts were between San Diego Data Processing Corporation and GE Energy.
- The contract was assigned from San Diego Data Processing Corporation to the City of San Diego with an effective date of August 17, 2012.
- Two Amendments were made to the contract. Amendment 1 has an effective date of January 1, 2012, and Amendment 2 has an effective date of August 17, 2012.

Sasaki\Heinrichs

Primary Contact\Phone: Susan Bowman\858-654-4429, MS 901A
Secondary Contact\Phone: Dan Burt\858-292-6411, MS 901A
City Attorney: Lastomirsky, Steven R.

NOTE: This item may be taken in the morning session if time permits.

ITEM-332: Amendment No. Four to the Terms and Conditions for Software Support Services for the GE Energy Management Services Inc., application SPLASH (Public Utilities GIS Software). (Citywide.)

ITEM DESCRIPTION:

Amend the contract between the City and GE Energy Management Services, Inc. (GE Energy) for extending the period of software support services for SPLASH (Public Utilities Geographic Information System). SPLASH is an essential program used to map/track the City's water/sewer infrastructure. The program and customizations are the intellectual property of GE Energy so their software support services are essential to maintain, troubleshoot, and run the program. Since the current contract with GE Energy expires on June 30, 2014, the purpose of the amendment is to extend the term of the software support services contract from July 1, 2014, to June 30, 2017, and to increase the not to exceed amount by an additional \$720,000.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-803)

Authorizing the Mayor, or his designee, to execute Amendment No. Four to the Agreement with GE Energy Management Services, Inc., to extend the term of the Agreement through June 30, 2017, and to increase the not to exceed amount for the Agreement to a total of \$720,000 for the remaining three-year term of the Agreement running from July 1, 2014, through June 30, 2017, under the terms and conditions set forth in Amendment No. Four;

Authorizing the Chief Financial Officer to expend an amount not to exceed \$720,000 for the remaining three-year term of the Agreement running from July 1, 2014, through June 30, 2017, to be funded in total from the following three funds, with the allocations described herein: Municipal Sewer Revenue Fund 700000 (18%), Metropolitan Sewer Utility Fund 700001 (33%), and Water Utility Operating Fund 700011 (49%), contingent on adoption of the Annual Appropriation Ordinance for the applicable fiscal year and Council's approval of funding for this expenditure in the applicable fiscal year, and provided that the Chief Financial Officer furnishes one or more certificates demonstrating that the funds necessary for this expenditure are, or will be, on deposit with the City Treasurer.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

The total amount invoiced for software support services from FY04 to FY14 was \$1,948,068. Council approval is being sought for an amount not to exceed \$720,000 for the period of July 1, 2014, to June 30, 2017, for the purpose of funding Amendment Four.

This expenditure is budgeted in FY15 as an IT O&M expense, and will be funded in total from the Municipal Sewer Revenue Fund No. 700000 (18%), Metropolitan Sewer Utility Fund No. 700001 (33%) and Water Utility Operating Fund No. 700011 (49%) contingent upon the adoption of the Appropriation Ordinance for Fiscal Years 2015-2017, and contingent upon the Chief Financial Officer furnishing one or more certificates certifying that funds necessary for expenditure are or will be on deposit with the City Treasurer.

The annual cost of the maintenance and support is \$185,978. This amount is subject to taxes and an annual escalation fee of up to 5%. The maintenance and support also requires that GE purchases the third party software known as FME. The cost of FME is passed to the City of San Diego. FME was invoiced at \$5460 last year, but this is subject to possible escalation fees as well.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- The contract for Software License and Software Support Terms and Conditions was originally put into place on March 22, 2004, by GE Energy and San Diego Data Processing Corporation.
- Amendment one was signed into effect on December 19, 2005. Amendment two was signed into effect on December 31, 2008.
- Amendment Three was signed into effect on December 30, 2011.
- The contract was assigned from San Diego Data Processing Corporation to the City of San Diego with an effective date of August 17, 2012.

Sasaki/Heinrichs

Primary Contact\Phone: Susan Bowman\858-654-4429, MS 901A

Secondary Contact\Phone: Dan Burt\858-292-6411, MS 901A

City Attorney Contact: Lastomirsky, Steven R.

NOTE: This item may be taken in the morning session if time permits.

ITEM-333: Energy Efficiency and Conservation Block Grant (EECBG) Actions and Approve Construction Change Order No. 1 for the Post Top Pedestrian Streetlight Conversion Project (WBS B-13139). (Balboa Park and Little Italy Community Plan. District 3.)

ITEM DESCRIPTION:

The requested actions are needed to reprogram EECBG contractual savings from completed EECBG activities in the amount of \$832,599.45. This action will also authorize the execution of Construction Change Order No. 1 to Southern Contracting Company and authorize the expenditure of an additional amount not to exceed \$1,103,032.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-790)

Authorizing the Chief Financial Officer to amend the Fiscal Year 2014 Capital Improvement Program Budget to increase CIP A-BT.00003 Citywide Energy Improvement Projects by the amount of \$842,686 from Fund No. 600000, EECBG Grant 1000251-2009, for the purpose of the Post Top Pedestrian Street Light Conversion Project;

Authorizing the Chief Financial Officer to appropriate and expend an amount of \$1,103,032 from the Annual Allocation CIP A-BT.00003, Citywide Energy Improvement Projects, of which \$842,686 is from Fund 600000, Grant Fund-Federal, EECBG Grant 1000251-2009, and \$260,346 is from Fund 200225, Energy Conservation Program Fund-CIP, to provide funds for energy efficiency improvements, contingent on the City Comptroller first certifying that funds are available in these provided amounts;

Authorizing the Mayor, or his designee, to execute Construction Change Order No. 1 with Southern Contracting Company on the Post Top Pedestrian Street Light Contract CIP B-13139 in the amount of \$1,103,032 to be funded by \$842,686 from Fund 600000, EECBG Grant 1000251-2009 and \$260,346 from Fund 200225, Energy Conservation Program Fund-CIP, for additional Post Top Pedestrian fixture installations within Balboa Park and Little Italy areas.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

EECBG contractual savings from completed activities in the amount of \$832,599.45 will be reprogrammed to the Broad Spectrum Lighting Activity to fund additional Pedestrian lights in Balboa Park and Little Italy areas. Change Order No. 1 not to exceed \$1,103,032 is funded by \$842,686 from Fund 600000, EECBG Grant No. 1000251-2009 and \$260,346 from Fund No. 200225, Energy Conservation Program Fund-CIP. Completion of this work is expected to provide an annual savings of 150,000 kilowatt hours in energy use and \$275,000 in energy costs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

From November 2010, through July 2013, various actions were approved by the City Council to use EECBG and California Energy Commission (CEC) loan funds to execute the Broad Spectrum Street Lighting project. Most recently, at the July 2, 2013, meeting of the City Council, Ordinance O-20269 was approved, authorizing the use of CEC loan funds for the Post Top Pedestrian Light Conversion Project in the amount of \$2 million dollars.

Gonaver/Heinrichs

Primary Contact\Phone: Lorie Cosio-Azar\858-627-3352

Secondary Contact\Phone: Dave Weil\858-492-6001

City Attorney: Ortlieb, Frederick M.

NOTE: This item may be taken in the morning session if time permits.

ITEM-334: TransNet Local Street and Roads Program - 2014 Regional Transportation Improvement Program (RTIP). (Citywide.)

ITEM DESCRIPTION:

City Council approval is requested for the proposed 2014 Regional Transportation Improvement Program (RTIP) Five-Year Program of Projects for Fiscal Year 2015, through Fiscal Year 2019, and for the required SANDAG resolutions. This action will also authorize adjustments to TransNet funded projects to comply with SANDAG Board Policy No. 31.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-698)

Authorizing the Mayor, or his designee, to submit to SANDAG the 2014 update to the Regional Transportation Improvement Program (RTIP) and Five-Year Program of Projects as required by SANDAG and outlined in the resolutions to follow and as noted on Attachments A and B;

Authorizing the Mayor, or his designee, to approve adjustments to TransNet funded projects, according to Attachments B and C, in compliance with SANDAG Board Policy No. 31, Rule No. 7;

Authorizing the Mayor, or his designee, to transfer appropriations of \$4,986,944 from TransNet funded projects as detailed on Attachment D to A-ID.00005, Resurfacing of City Streets (\$1,174,775), and A-CA.00001, Drainage Projects (\$3,812,169);

Certifying that no more than 30 percent of its annual revenues shall be spent on maintenance-related projects, pursuant to Section 2(C)(1) of the TransNet Extension Ordinance;

Certifying that all new projects, or major reconstruction projects, funded by TransNet revenues shall accommodate travel by pedestrians and bicyclists, and that any exception to this requirement permitted under the Ordinance and proposed, shall be clearly noticed as part of the City of San Diego's public hearing process, pursuant to Section 4(E)(3) of the TransNet Extension Ordinance;

Certifying that it has included an amount of local discretionary funding for street and road purposes in its budget for this fiscal year that is at least equal to the most recently established minimum maintenance of effort requirement adopted by SANDAG and that it intends to continue to do so in each year of the five-year periods covered by the RTIP, pursuant to Section 8 of the TransNet Extension Ordinance;

Certifying that it will exact \$2,635, plus all applicable annual increases, from the private sector for each newly constructed residential housing unit in that jurisdiction, and shall contribute such exactions to the Regional Transportation Congestion Improvement Program (RTCIP), pursuant to Section 9A of the TransNet Extension Ordinance;

Certifying that it has established a separate Transportation Improvement Account for TransNet revenues with interest earned expended only for those purposes for which the funds were allocated, pursuant to Section 13 of the TransNet Extension Ordinance;

Certifying that each project of \$250,000 or more will be clearly designated during construction with TransNet project funding identification signs, pursuant to Section 13 of the TransNet Extension Ordinance;

Certifying that all other applicable provisions of the TransNet Extension Ordinance have been met;

Agreeing to indemnify, hold harmless, and defend SANDAG, the San Diego County Regional Transportation Commission, and all officers and employees thereof against all causes of action or claims to local TransNet funded projects.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The Fiscal Year 2015 total TransNet program is \$30,010,000 based on SANDAG's TransNet Revenue Forecast issued in February 2014. This action will transfer a total of \$4,986,944 of available TransNet funding to the annual allocations for Storm Drain Repairs (\$3,812,169) and Resurfacing of City Streets (\$1,174,775) and will enable the City to draw TransNet dollars against the projects' expenditures. TransNet funding identified for these projects shall not be substituted with DC3 bond funding following the issuance of the bond.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- This item was heard at the Infrastructure Committee meeting on May 14, 2014. The Committee approved and forwarded the item to Council for approval. Subsequent to the Committee's action on May 14, 2014, and in an effort to mitigate the impact of the delayed issuance of the DC3 bond, TransNet funding has been identified and proposed for reallocation to high priority storm drain and street resurfacing projects originally planned to be funded by DC3.

ACTION: Motion by Councilmember Emerald, second by Councilmember Cole, to forward staff's recommendation to City Council.

VOTE: 4-0; Kersey-yea, Cole-yea, Emerald-yea, Sherman-yea.

- City Council Resolution R-308233, dated June 5, 2013, authorized an Amendment to the Fiscal Year 2012 Regional Transportation Improvement Program (RTIP).
- City Council Resolution R-308008, dated February 27, 2013, authorized an Amendment to the Fiscal Year 2012 Regional Transportation Improvement Program (RTIP).
- City Council Resolution R-307478, dated May 30, 2012, authorized the City of San Diego's submission of the 2012 Regional Transportation Improvement Program (RTIP).
- City Council Resolution R-307150, dated November 30, 2011, authorized an Amendment to the Fiscal Year 2010 Regional Transportation Improvement Program (RTIP).
- City Council Resolution R-307146, dated November 30, 2011, approved the transfer of TransNet funds among projects to bring the City in compliance with the SANDAG Board Policy as identified within the TransNet Local Street/Road Program-2010 SANDAG audit.
- City Council Resolution R-306848, dated June 9, 2011, authorized the City of San Diego's submission of the 2010 Regional Transportation Improvement Program (RTIP).
- City Council Resolution R-306784, dated April 26, 2011, approved the Regional Transportation Congestion Improvement Program (RTCIP) and associated fees.
- City Council Resolution R-305885, dated June 24, 2010, authorized the City of San Diego's submission of the 2010 Regional Transportation Improvement Program (RTIP).

McFadden/Heinrichs

Primary Contact\Phone: Hasan Yousef\619-533-3012, MS 608

Secondary Contact\Phone: Wendy Morrow\619-533-3122, MS 608

City Attorney Contact: Gerrity, Ryan P.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-335: 2013 Citywide Volunteer Activity Status Annual Report.

ITEM DESCRIPTION:

This item is the 2013 Citywide Volunteer Activity Status Annual Report that provides department and volunteer program detail of volunteer activity Citywide.

STAFF'S RECOMMENDATION:

This is an informational report only. No action is requested.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS: None.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION: Not applicable.

von Kalinowski/Villa

Primary Contact\Phone: Judy von Kalinowski\619-236-6313

Secondary Contact\Phone: Karen DeCrescenzo\619-235-5802

**ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
ORDINANCES TO BE INTRODUCED:**

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-336: Amendments to the Neighborhood Parking Protection Ordinance.

ITEM DESCRIPTION:

This action proposes language and numbering modifications to the existing Neighborhood Parking Protection Ordinance so the City may proceed with the new parking regulations.

STAFF'S RECOMMENDATION:

Introduce the following ordinance:

(O-2014-114 Cor. Copy)

Introduction of an Ordinance amending Chapter 8, Article 6, Division 1, of the San Diego Municipal Code, by amending Sections 86.0102, 86.0139, 86.0142 and 86.0143, all relating to parking of oversized, non-motorized, and recreational vehicles and general parking regulations.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There are no fiscal considerations related to this ordinance modification

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The Ordinance was originally approved by the City Council in July 2013.

McFadden/Heinrichs

Primary Contact\Phone: Gary Pence\619-533-3184, MS 609

Secondary Contact\Phone: Linda Marabian\619-533-3182, MS 608

City Attorney Contact: Kohut, Ryan P.

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS
RESOLUTIONS:

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-337: Authorization to Exceed \$1 million for Landscape Contract with Shoreline Landcare, Inc. (Bid Number 10032302-13-W), for Torrey Hills Maintenance Assessment District. (Torrey Hills Community Area. District 1.)

ITEM DESCRIPTION:

This action would authorize exceeding the \$1 million threshold on a landscape maintenance contract with Shoreline Landcare, Inc., for the purpose of providing landscape maintenance services to the Torrey Hills Maintenance Assessment District (MAD) in an amount not to exceed \$3,818,680 over a period of five years beginning in Fiscal Year 2013 and ending in Fiscal Year 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2014-613)

Authorizing the Mayor, or his designee, to exercise, and execute for and on behalf of the City, up to four one-year contract extension options with Landcare Logic Inc., as may be available pursuant to the Contract, subject to an amendment reflecting that state prevailing wage laws now apply to the Contract, and contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing and directing the Chief Financial Officer to expend an amount not to exceed \$3,818,679.62 over five years from Fund No. 200070, Torrey Hills Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem B: (R-2014-621)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption, as set forth in California Environmental Quality Act (CEQA) Guidelines Section 15300.2, does not apply.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Total contract cost over the maximum term is \$3,818,680. Funding has been available from the Torrey Hills Maintenance Assessment District (Fund No. 200070) from Fiscal Year 2013. Additional funds for future phases will be available in future years from the Torrey Hills MAD contingent upon available reserves, approval to levy future annual assessments, and approval of the Annual District Budget and Appropriation Ordinance. Cost estimates for future years include a cost indexing factor of a maximum of 5% annually based on changes to the Consumer Price Index and Living Wage Ordinance in accordance with contract specifications. Historically, the actual amount of the allowable cost indexing increase has generally been less than the 5% projection; however, the 5% basis is the most conservative approach and is provided as the maximum indexing amount in the terms of the contract. Additional contingency funds are included in the cost estimate for any unforeseen needs in the district. Any unspent funds will be returned to the district fund balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Torrey Hills Maintenance Assessment District was established in March 1998, per Resolution No. R-289875.
- The City Council last authorized approval of updated assessment engineer's reports and annual levy of assessments for this district on July 16, 2013, per Resolution No. R-308364.
- This item will be heard by the Public Safety and Livable Neighborhoods Committee.

Field/Villa

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D
Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D
City Attorney Contact: Skogen, Daphne Z.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-338: Memorandum of Understanding Between the City of San Diego and the San Diego Housing Commission for the Provision of Homeless Shelters and Services. (Citywide.)

ITEM DESCRIPTION:

Request for Council and Housing Authority approval of the Memorandum of Understanding between the City of San Diego (City) and the San Diego Housing Commission (Commission) for the Provision of Homeless Shelters and Services.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-802)

Approving the 2014 Memorandum of Understanding (MOU) between the City and the Housing Commission;

Authorizing the Mayor, or designee, to execute the 2014 MOU, and any and all amendment(s) thereto, on behalf of the City in a form approved by the City Attorney, and to take all actions necessary to implement these approvals.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

There is no impact to the City's General Fund with this action. Approving this action will not approve or appropriate Commission funding for these programs.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- On June 29, 2010, the Council adopted Resolution No. R-305962, authorizing the execution of the Original Memorandum of Understanding (MOU) assigning the responsibility for the operation of the City's Homeless Services Programs to the Commission. This resolution also authorized the transfer of the administration of the Emergency Solutions Grants (ESG) Program from the City to the Commission, effective July 1, 2010.
- On April 24, 2012, the Council adopted Resolution No. R-307396, authorizing the 2012 MOU regarding the administration of the ESG Program.

- On March 24, 2014, the Council adopted Resolution No. R-308834, approving the allocation of FY 2015 Community Development Block Grant (CDBG) funding in an amount not to exceed \$1,318,078 to the Commission for Homeless Shelters and Services.
- On April 28, 2014, the Council adopted Resolution No. R-308904, approving the FY 2015-FY 2019 Consolidated Plan, authorizing the Chief Financial Officer of the City to appropriate and expend FY 2015 ESG funds and authorizing the execution of Agreements with the Commission for the operation of the ESG Program.

Fulton/Villa

Primary Contact\Phone: Michele Marano\619-236-6381, MS 56D

Secondary Contact\Phone: Sima Thakkar\619-236-5902, MS 56D

City Attorney Contact: Halsey, Keely M.

NOTE: See the Housing Authority Agenda of June 17, 2011, for a companion item.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-339: Temporary Overnight Recreational Vehicle Parking Permit Fee.

ITEM DESCRIPTION:

On July 23, 2013, the San Diego City Council approved the Neighborhood Parking Protection Ordinance (NPPO). This ordinance creates safer streets and neighborhoods through minimizing the negative effects of recreational vehicles, including campers, camp trailers and recreational boats, parked on public streets between the hours of 2:00 a.m and 6:00 a.m.

The Office of the City Treasurer recommends that the City Council approve the Temporary Overnight Recreational Vehicle Parking Permit Fee of \$1.25 to support the Neighborhood Parking Protection Ordinance.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-775)

Adopting the fee of \$1.25 for the purpose of recovering costs incurred by the City of San Diego in issuing each Temporary Overnight Recreational Vehicle Parking Permit;

Declaring that the Temporary Overnight Recreational Vehicle Parking Permit fee shall be effective upon the effective date of Ordinance;

Directing the City Clerk to amend the Ratebook of City Fees and Charges maintained in the Office of the City Clerk to include the fee described above.

SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

In accordance with Council Policy 100-05 "User Fee Policy" the proposed permit fee is 97% cost recoverable. Program cost estimates include 50% of one (1) Public Information Clerk (and related NPE) and the annual cost of the online system. The proposed fee of \$1.25 also assumes 36,500 permits issued annually. This estimate is based on the City of El Cajon's permitting process and historical permit data.

Estimated NPPO Permit Fee Calculation:

Personnel Expenditures (PE) - \$39,183

Non-Personnel Expenditures (NPE) - \$7,700

Total PE/NPE - \$46,883

Annual Permits - 36,500

Estimated per Permit Cost (\$46,833/36,500) - \$1.28

Proposed Permit Fee - \$1.25

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- This item was heard at the Budget and Government Efficiency Committee meeting on May 22, 2014, and forwarded to the full City Council.

ACTION: Motion by Council President Pro Tem Lightner, second by Councilmember Zapf, to recommend approval of staff's recommendation and forward the item to the full City Council. Committee Members also directed staff to bring forward clarification on the 75 cents per permit or per transaction fee when the item comes to full Council.

VOTE: 4-0; Gloria-yea, Lightner-yea, Kersey-yea, Zapf-yea, Alvarez-not present.

- The requested information will be provided in a staff presentation at Council.

- Subsequent to the above Committee meeting, the subject of the 1472 was changed to Temporary Overnight Recreational Vehicle Parking Permit Fee from Oversized Vehicle Parking Permit Fee to accurately reflect the original NPPO.

- On July 23, 2013, the San Diego City Council approved Ordinance O-20281, which included additions to the San Diego Municipal Code (SDMC) for the Neighborhood Parking Protection Ordinance (NPPO), Section 86.0138 through Section 86.0143. The proposed fee is being requested as defined in Section 86.0142(g).

Granewich\Lewis

Primary Contact\Phone: DeeDee Alari\619-533-3888, MS 606C

Secondary Contact\Phone: Jonathan Carey\619-533-3610, MS 606C

City Attorney Contact: So, Kenneth R.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-340: Authorization to Exceed \$1 million for Landscape Contract with Aztec Landscaping (Bid Number 10030695-13-W), for Rancho Bernardo (RB) and Peñasquitos East (PQ) Maintenance Assessment Districts. (Rancho Bernardo and Rancho Peñasquitos Community Areas. District 5.)

ITEM DESCRIPTION:

This action would authorize exceeding the \$1 million threshold for the landscape maintenance contract with Aztec Landscaping for the purpose of providing landscape maintenance services to the Rancho Bernardo (RB) and Peñasquitos East (PQ) Maintenance Assessment Districts (MAD) in an amount not to exceed \$1,764,668 over a period of five years beginning in Fiscal Year 2013 and ending in Fiscal Year 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-611 Cor. Copy)

Authorizing the Mayor, or his designee, to exercise, and execute for and on behalf of the City of San Diego, up to four one-year contract extension options with Aztec Landscaping as may be available pursuant to the Contract, subject to an amendment reflecting that state prevailing wage laws now apply to the Contract, and contingent upon adoption of the resolution authorizing the levy assessments within the Districts and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing and directing the Chief Financial Officer to expend an amount not to exceed \$1,764,668.10 over five years from Fund Nos. 200038 and 200039, Rancho Bernardo Maintenance Assessment District and Peñasquitos East Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the Resolution authorizing the levy of assessments within the Districts and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem-B: (R-2014-620)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining by the City Council that an exception to the exemption, as set forth in CEQA Guidelines Section 15300.2, does not apply.

STAFF'S SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Total contract cost over the maximum term is \$1,764,668. Funding have been available from the RB and PQ Maintenance Assessment Districts (Fund Nos. 200038 and 200039). Additional funds for future phases will be available in future years from the RB and PQ MADs contingent upon available reserves, approval to levy future annual assessments, and approval of the Annual District Budget and Appropriation Ordinance.

Cost estimates for future years include a cost indexing factor of a maximum of 5% annually based on changes to the Consumer Price Index and Living Wage Ordinance in accordance with contract specifications. Historically, the actual amount of the allowable cost indexing increase has generally been less than the 5% projection; however, the 5% basis is the most conservative approach and is provided as the maximum indexing amount in the terms of the contract. Additional contingency funds are included in the cost estimate for any unforeseen needs in the district. Any unspent funds will be returned to the district fund balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Rancho Bernardo Maintenance Assessment District was established in July 1983, per Resolution R-258767.

- Peñasquitos East Maintenance Assessment District was established in July 1983, per Resolution R-258817.

- The City Council last authorized approval of updated assessment engineer's reports and annual levy of assessments for both districts on July 16, 2013, per Resolution R-308364.

- This item will be heard by the Public Safety and Livable Neighborhoods Committee.

Field\Villa

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D

Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D

City Attorney: Skogen, Daphne Z.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-341: Authorization to Exceed \$1 million on Landscape Contract with Aztec Landscaping (Bid Number 10024288-12-W), for Mira Mesa (MM) and Calle Cristobal (CC) Maintenance Assessment Districts. (Mira Mesa and Calle Cristobal Community Areas. District 6.)

ITEM DESCRIPTION:

This action would authorize exceeding the \$1 million threshold on Landscape Maintenance Contract with Aztec Landscaping for the purpose of providing landscape maintenance services to the Mira Mesa (MM) and Calle Cristobal (CC) Maintenance Assessment Districts (MAD) in an amount not to exceed \$3,269,437 over a period of five years beginning in Fiscal Year 2013 and ending in Fiscal Year 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2014-615)

Authorizing the Mayor, or his designee, to exercise, and execute, for and on behalf of the City, up to four one-year contract extension options with Aztec Landscaping as may be available pursuant to the Contract, subject to an amendment reflecting that state prevailing wage laws now apply to the Contract, and contingent upon adoption of the resolution authorizing the levy of assessments within the Districts and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing and directing the Chief Financial Officer to expend an amount not to exceed \$3,269,436.53 over five years from Funds Nos. 200045 and 200037, Mira Mesa Maintenance Assessment District and Calle Cristobal Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the resolution authorizing the levy of assessments within the Districts and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem B: (R-2014-618)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption, as set forth in CEQA Guidelines Section 15300.2, does not apply.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

Total contract cost over the maximum term is \$3,269,437. Funding has been available from the MM and CC Maintenance Assessment Districts (Fund Nos. 200037 and 200045). Additional funds for future phases will be available in future years from the MM and CC MADs contingent upon available reserves, approval to levy future annual assessments, and approval of the Annual District Budget and Appropriation Ordinance. Cost estimates for future years include a cost indexing factor of a maximum of 5% annually based on changes to the Consumer Price Index and Living Wage Ordinance in accordance with contract specifications. Historically, the actual amount of the allowable cost indexing increase has generally been less than the 5% projection; however, the 5% basis is the most conservative approach and is provided as the maximum indexing amount in the terms of the contract. Additional contingency funds are included in the cost estimate for any unforeseen needs in the district. Any unspent funds will be returned to the district fund balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Mira Mesa Maintenance Assessment District was established in July 1983, per Resolution No. R-258898.
- Calle Cristobal Maintenance Assessment District was established in July 1987, per Resolution No. R-268907.
- The City Council last authorized approval of updated assessment engineer's reports and annual levy of assessments for both districts on July 16, 2013, per Resolution No. R-308364.
- This item will be heard by the Public Safety and Livable Neighborhoods Committee.

Field/Villa

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D

Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D

City Attorney Contact: Skogen, Daphne Z.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-342: Authorization to Exceed \$1 million for Landscape Contract with Treebeard Landscape, Inc. (Bid Number 10029689-13-W), for Tierrasanta Maintenance Assessment District. (Tierrasanta Community Area. District 7.)

ITEM DESCRIPTION:

This action would authorize exceeding the \$1 million threshold on a landscape maintenance contract with Treebeard Landscape, Inc., for the purpose of providing landscape maintenance services to the Tierrasanta Maintenance Assessment District (MAD) in an amount not to exceed \$4,179,782 over a period of five years beginning in Fiscal Year 2013 and ending in Fiscal Year 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2014-623)

Authorizing and directing the Chief Financial Officer to expend an amount not to exceed \$4,179,781.96 over five years from Fund No. 200030, Tierrasanta Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem B: (R-2014-624)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption, as set forth in CEQA Guidelines Section 15300.2, does not apply.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

Total contract cost over the maximum term is \$4,179,782. Funding has been available from the Tierrasanta Maintenance Assessment District (Fund No. 200030) from Fiscal Year 2013. Additional funds for future phases will be available in future years from the Tierrasanta MAD contingent upon available reserves, approval to levy future annual assessments, and approval of the Annual District Budget and Appropriation Ordinance. Cost estimates for future years include a cost indexing factor of a maximum of 5% annually based on changes to the Consumer Price Index and Living Wage Ordinance in accordance with contract specifications. Historically, the actual amount of the allowable cost indexing increase has generally been less than the 5% projection; however, the 5% basis is the most conservative approach and is provided as the maximum indexing amount in the terms of the contract. Additional contingency funds are included in the cost estimate for any unforeseen needs in the district. Any unspent funds will be returned to the district fund balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Tierrasanta Maintenance Assessment District was established in August 1972, per Resolution Number R-288826.

- The City Council last authorized approval of updated assessment engineer's reports and annual levy of assessments for this district on July 16, 2013, per Resolution No. R-308364.

- This item will be heard by the Public Safety and Livable Neighborhoods Committee.

Field/Villa

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D
Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D
City Attorney Contact: Skogen, Daphne Z.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-343: Authorization to Exceed \$1 million for Contract with Shoreline Landcare Logic, Inc. (Bid Number 9981-11-Q), for Carmel Mountain Ranch Maintenance Assessment District. (Carmel Mountain Ranch Community Area. District 5.)

ITEM DESCRIPTION:

This action would authorize exceeding the \$1 million threshold on the five-year contract with Shoreline Landcare Logic, Inc., for the purpose of providing landscape maintenance services to the Carmel Mountain Ranch Maintenance Assessment District (MAD) in an amount not to exceed \$1,357,236 over a period of five years beginning in Fiscal Year 2011 and ending in Fiscal Year 2016.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-2014-608)

Authorizing the Mayor, or his designee, to exercise, and execute, for and on behalf of the City, up to three one-year contract extension options with Landcare Logic Inc., as may be available pursuant to the Contract, subject to an amendment reflecting that state prevailing wage laws now apply to the Contract, and contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing and directing the Chief Financial Officer to expend an amount not to exceed \$1,357,236.87 over five years from Fund No. 200048, Carmel Mountain Ranch Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the Resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem B: (R-2014-619)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption, as set forth in CEQA Guidelines Section 15300.2, does not apply.

STAFF SUPPORTING INFORMATION:**FISCAL CONSIDERATIONS:**

Total contract cost over the maximum term is \$1,357,236. Funding has been available from the Carmel Mountain Ranch Maintenance Assessment District (Fund No. 200048) from Fiscal Year 2011. Additional funds for future phases will be available in future years from the Carmel Mountain Ranch MAD contingent upon available reserves, approval to levy future annual assessments, and approval of the Annual District Budget and Appropriation Ordinance. Cost estimates for future years include a cost indexing factor of a maximum of 5% annually based on changes to the Consumer Price Index and Living Wage Ordinance in accordance with contract specifications. Historically, the actual amount of the allowable cost indexing increase has generally been less than the 5% projection; however, the 5% basis is the most conservative approach and is provided as the maximum indexing amount in the terms of the contract. Additional contingency funds are included in the cost estimate for any unforeseen needs in the district. Any unspent funds will be returned to the district fund balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Carmel Mountain Ranch Maintenance Assessment District was established in October 1985, per Resolution Nos. R-261867 and R-261871.
- The City Council last authorized approval of updated assessment engineer's reports and annual levy of assessments for this district on July 16, 2013, per Resolution No. R-308364.
- This item will be heard by the Public Safety and Livable Neighborhoods Committee.

Field/Villa

Primary Contact\Phone: Paul Sirois\619-685-1316, MS 5D
Secondary Contact\Phone: Rosa Lopez\619-685-1316, MS 5D
City Attorney Contact: Skogen, Daphne Z.

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-344: Authorization to Exceed \$1 million on Landscape Contract with Shoreline Landcare, Inc. (Bid Number 10026314-13-W), for El Cajon Boulevard, Hillcrest, North Park, Talmadge, and University Heights Maintenance Assessment Districts. (Mid-City Community Area. Districts 3 and 9.)

ITEM DESCRIPTION:

This action would authorize exceeding the \$1 million threshold on a landscape maintenance contract with Shoreline Landcare, Inc., for the purpose of providing landscape maintenance services to the Mid-City Maintenance Assessment Districts (MADs) in an amount not to exceed \$2,123,128 over a period of five years beginning in Fiscal Year 2013 and ending in Fiscal Year 2018.

STAFF'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2014-609)

Authorizing the Mayor, or his designee, to exercise and execute, for and on behalf of the City, up to four one-year contract extension options with Landcare Logic Inc., as may be available pursuant to the Contract, subject to an amendment reflecting that state prevailing wage laws now apply to the Contract, and contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury;

Authorizing and directing the Chief Financial Officer to expend an amount not to exceed \$2,123,128.48 over five years from Fund No. 200095, El Cajon Boulevard Maintenance Assessment District; Fund No. 200094, Hillcrest Maintenance Assessment District; Fund No. 200063, North Park Maintenance Assessment District; Fund No. 200076, Talmadge Maintenance Assessment District; and Fund No. 200093, University Heights Maintenance Assessment District, for the purpose of funding the Contract, contingent upon adoption of the resolution authorizing the levy of assessments within the District and the Annual Budget Appropriation Ordinance for the applicable fiscal year, and contingent upon certification that the funds necessary for expenditure are, or will be, on deposit in the City Treasury.

Subitem-B: (R-2014-625)

Determining that the Project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301;

Determining that an exception to the exemption, as set forth in CEQA Guidelines Section 15300.2, does not apply.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

Total contract cost over the maximum term is \$2,123,128. Funding has been available from the Mid-City Maintenance Assessment Districts (Fund No. 200095, 200094, 200063, 200076, 200093) from Fiscal Year 2013. Additional funds for future phases will be available in future years from the same MAD funds contingent upon available reserves, approval to levy future annual assessments, and approval of the Annual District Budget and Appropriation Ordinance.

Cost estimates for future years include a cost indexing factor of a maximum of 5% annually based on changes to the Consumer Price Index and Living Wage Ordinance in accordance with contract specifications. Historically, the actual amount of the allowable cost indexing increase has generally been less than the 5% projection; however, the 5% basis is the most conservative approach and is provided as the maximum indexing amount in the terms of the contract. Additional contingency funds are included in the cost estimate for any unforeseen needs in the district. Any unspent funds will be returned to the district fund balance.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

- Mid-City Maintenance Assessment Districts were established in July 1987.
- The City Council last authorized approval of updated assessment engineer's reports and annual levy of assessments for this district on July 16, 2013, per Resolution R-308364.
- This item will be heard by the Public Safety and Livable Neighborhoods Committee.

Field/Villa

Primary Contact\Phone: Paul Sirois\619-685-1307, MS 5D
Secondary Contact\Phone: Rosa Lopez\619- 685-1316, MS 5D
City Attorney Contact: Skogen, Daphne Z.

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARINGS:

The following item will be considered in the afternoon session which is scheduled to begin at 2:00 p.m.

ITEM-345: San Diego Rescue Mission Amendment, Project No. 342550. (Uptown Community Plan Area. District 3.)

ITEM DESCRIPTION:

The applicant has submitted a request to amend CUP 8673. This CUP Amendment has three objectives: to include a Child Care Center within the existing facility; to remove the annual reporting requirement of the Litter and Loiter Control Plan; and to remove the requirement of a Neighborhood Advisory Committee.

STAFF'S RECOMMENDATION:

Adopt the following resolution:

(R-2014-787)

Adoption of a Resolution certifying findings with respect to Conditional Use Permit No. 1198401, which are supported by the minutes, maps and exhibits, all of which are incorporated herein by this reference;

Granting Conditional Use Permit No. 1198401 to the San Diego Rescue Mission, Owner/Permittee, under the terms and conditions set forth in the attached permit which is made a part of this Resolution.

NOTE: This item is not subject to the Mayor's veto.

STAFF SUPPORTING INFORMATION:

FISCAL CONSIDERATIONS:

The cost of processing this request is being paid through a deposit account established by the applicant.

PREVIOUS COUNCIL AND/OR COMMITTEE ACTION:

The City Council approved Conditional Use Permit No. 8673 to allow the operation of the San Diego Rescue Mission at this location on November 19, 2002, by a vote of 9-0. There has been no other Council or Committee action in response to this proposed amendment to that permit.

Vacchi/Villa/ms

Primary Contact\Phone: Michelle Sokolowski\619-446-5278, MS 501

City Attorney Contact: Inga Lintvedt

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT